

FILE

NOV 20 2013

Clerk, U.S. District Court
District Of Montana
Missoula

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

ROBERT L. ROSE,

Petitioner,

vs.

LEROY KIRKEGARD; ATTORNEY
GENERAL OF THE STATE OF
MONTANA,

Respondents.

Cause No. CV 13-156-DWM-JCL

ORDER DENYING MOTION TO
EXPAND THE RECORD

Petitioner Rose moves to expand the record filed by Respondents (“the State”) on October 15, 2013. The Court will proceed with prescreening on the record as it currently exists and will consider whether additional materials within or outside the state court file are relevant and may be considered. *See, e.g., Cullen v. Pinholster*, ___ U.S. ___, 131 S. Ct. 1388 (2010).

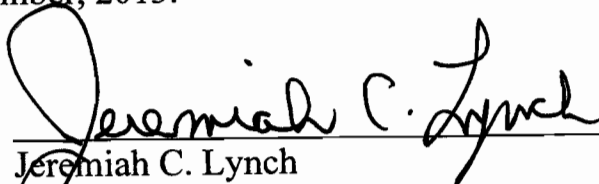
Based on the foregoing, the Court enters the following:

ORDER

Rose’s motion to expand the record (Doc. 11) is DENIED. Rose’s reply to the State’s Answer remains limited to **24 pages** and remains due on or before

December 6, 2013.

DATED this 20th day of November, 2013.



Jeremiah C. Lynch
United States Magistrate Judge